

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ROBERT VILLAFRANCA, THOMAS	§	
MONROE, LINDA MONROE,	§	
individually and on behalf of all others	§	
similarly situated,	§	
	§	
Plaintiffs,	§	CASE NO. 3-08-CV-118-K
	§	
v.	§	CLASS ACTION
	§	
TICOR TITLE INSURANCE COMPANY,	§	
	§	
Defendant.	§	

TICOR TITLE INSURANCE COMPANY'S
MOTION FOR CERTIFICATION UNDER 28 U.S.C. § 1292(b)

Pursuant to 28 U.S.C. § 1292(b), Defendant Ticor Title Insurance Company ("Ticor") moves this Court to amend its order [Doc. No. 26 (the "Order")] denying Ticor's motion to dismiss, to state that the necessary conditions are met for interlocutory appeal because the Order involves controlling questions of law as to which there are substantial grounds for difference of opinion and that an immediate appeal would materially advance the ultimate termination of this litigation. Rule 5(a)(3) of the Federal Rules of Appellate Procedure permits the Court to amend the Order to include the language required for certification.

The grounds in support of this Motion are more fully described in the Brief in Support, filed contemporaneously herewith and incorporated herein by reference.

CERTIFICATE OF CONFERENCE

On August 1, 2008, counsel for Ticor, Derek Diaz, conferred with Plaintiff's counsel, Eric Calhoun, via telephone. Counsel discussed the criteria for interlocutory

appeal. After that, Mr. Calhoun said that Plaintiff would not consent to the relief requested in this Motion.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on this 15th day of August, 2008, a true and correct copy of the foregoing has been served on the following counsel of record pursuant to the Federal Rules of Civil Procedure:

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